

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 4, 2013

Elisabeth A. Shumaker
Clerk of Court

C.L. FRATES & COMPANY, an
Oklahoma corporation,

Plaintiff - Appellee,

v.

WESTCHESTER FIRE INSURANCE
COMPANY, a Pennsylvania corporation,

Defendant - Appellant.

No. 12-6274
(D.C. No. 5:11-CV-01020-L)

JUDGMENT

Before **HOLMES**, **BACHARACH**, and **PHILLIPS**, Circuit Judges.

This case originated in the Western District of Oklahoma and was submitted on the briefs at the direction of the court.

The judgment of that court reversed. The case is remanded to the United States District Court for the Western District of Oklahoma for further proceedings in accordance with the opinion of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk